

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 516
Education/Higher Education Committee Substitute Adopted 4/24/13
Third Edition Engrossed 4/29/13

Short Title: Public School Regulatory Reform.

(Public)

Sponsors:

Referred to:

March 28, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO STREAMLINE REPORTING REQUIREMENTS FOR PUBLIC SCHOOLS.
3 The General Assembly of North Carolina enacts:

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5 **PART I. ELIMINATE ESC REPORTING**

6 **SECTION 1.** G.S. 96-33 is amended by adding a new subsection to read:
7 "(a1) Subsection (a) of this section shall not apply to local school administrative units."

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9 **PART II. DISADVANTAGED STUDENT REPORT**

10 **SECTION 2.** To the extent allowed by federal law, the State Board of Education
11 shall consolidate and limit reports to the State Board by local school administrative units on
12 data related to economically disadvantaged students, including household size and income
13 information, to one report each school year.

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15 **PART III. IIS REPORTING**

16 **SECTION 3.(a)** The Department of Public Instruction shall comply with
17 G.S. 115C-12(19)(i) and not require as a separate submission at least all of the following
18 reports to reduce unnecessary reporting requirements for local school administrative units:

- 19 (1) The Principal's Monthly Report (PMR) Final, required by the 30th of each
20 month.
21 (2) The LEA Vacancy Report, required by October 20th each year.
22 (3) The Professional Personnel Activity Report (PPAR), required annually.
23 (4) The Pupils in Membership by Race and Sex, required annually by October
24 31st.
25 (5) The Report of School Sales of Textbooks and Used Books, required annually
26 by October 31st.
27 (6) The School Activity Report (SAR), required annually.

28 **SECTION 3.(b)** The Department of Public Instruction may collect any information
29 contained in the reports eliminated in accordance with subsection (a) of this section that is
30 necessary for compliance with State or federal law through the implementation of the
31 PowerSchool application or any other component of the Instructional Improvement System
32 (IIS) developed by the Department of Public Instruction.

33 **SECTION 3.(c)** G.S. 115C-12(18) reads as rewritten:



1 "(18) Duty to Develop and Implement a Uniform Education Reporting System,
2 Which Shall Include Standards and Procedures for Collecting Fiscal and
3 Personnel Information. –

4 a. The State Board of Education shall adopt standards and procedures
5 for local school administrative units to provide timely, accurate, and
6 complete fiscal and personnel information, including payroll
7 information, on all school personnel. ~~All local school administrative~~
8 ~~units shall comply with these standards and procedures by the~~
9 ~~beginning of the 1987-88 school year.~~

10 b. The State Board of Education shall develop and implement a
11 Uniform Education Reporting System that shall include requirements
12 for collecting, processing, and reporting fiscal, personnel, and student
13 data, by means of electronic transfer of data files from local
14 computers to the State Computer Center through the State
15 Communications Network. ~~All local school administrative units shall~~
16 ~~comply with the requirements of the Uniform Education Reporting~~
17 ~~System by the beginning of the 1989-90 school year.~~

18 c. The State Board of Education shall comply with the provisions of
19 G.S. 116-11(10a) to plan and implement an exchange of information
20 between the public schools and the institutions of higher education in
21 the State. The State Board of Education shall require local boards of
22 education to provide to the parents of children at a school all
23 information except for confidential information received about that
24 school from institutions of higher education pursuant to
25 G.S. 116-11(10a) and to make that information available to the
26 general public.

27 d. The State Board of Education shall modify the Uniform Education
28 Reporting System to provide clear, accurate, and standard
29 information on the use of funds at the unit and school level. The plan
30 shall provide information that will enable the General Assembly to
31 determine State, local, and federal expenditures for personnel at the
32 unit and school level. The plan also shall allow the tracking of
33 expenditures for textbooks, educational supplies and equipment,
34 capital outlay, at-risk students, and other purposes. ~~The revised~~
35 ~~Uniform Education Reporting System shall be implemented~~
36 ~~beginning with the 1999-2000 school year.~~

37 e. When practicable, reporting requirements developed by the State
38 Board of Education as part of the Uniform Education Reporting
39 System under this subdivision shall be incorporated into the
40 Instructional Improvement System to minimize duplicative reporting
41 by local school administrative units."

42 **SECTION 3.(d)** The Department of Public Instruction shall (i) simplify and
43 minimize data entry requirements of local school administrative units to achieve the least
44 burdensome administrative data entry workload possible, and (ii) report to the Joint Legislative
45 Education Oversight Committee on or before July 30, 2014 on the reduction or changes in the
46 data entry workload of local school administrative units, particularly as a result of the
47 implementation of the PowerSchool application and any other component of the Instructional
48 Improvement System. The report shall include specific data on estimated time taken away from
49 instruction used for data entry into the PowerSchool application and any other component of
50 the Instructional Improvement System.

PART IV. COMMISSION TO STUDY EXCEPTIONAL CHILDREN'S SERVICES

SECTION 4.(a) Establishment. – There is established a Commission to Study the Provision of Exceptional Children's Services in the North Carolina Public Schools (Commission).

SECTION 4.(b) Membership. – The Commission shall be composed of 14 members, as follows:

- (1) Seven members appointed by the Speaker of the House of Representatives as follows:
 - a. Four persons who are members of the House of Representatives at the time of appointment.
 - b. A representative of the Department of Public Instruction.
 - c. An exceptional children's program director, as recommended by the North Carolina Association of School Administrators.
 - d. A member of an advocacy group which works on behalf of children with disabilities, as recommended by Disability Rights North Carolina.
- (2) Seven members appointed by the President Pro Tempore of the Senate as follows:
 - a. Four persons who are members of the Senate at the time of appointment.
 - b. A school system superintendent, as recommended by the North Carolina Association of School Administrators.
 - c. An attorney with experience in education law related to public school services for exceptional children, as recommended by the North Carolina Council of School Attorneys.
 - d. A member of an advocacy group which works on behalf of children with disabilities, as recommended by the Exceptional Children's Advocacy Center.

The Commission shall have two cochairs, one designated by the President Pro Tempore of the Senate and one designated by the Speaker of the House of Representatives from among their appointees. The Commission shall meet upon the call of the cochairs. Vacancies shall be filled by the appointing authority. A quorum of the Commission shall be a majority of the members.

SECTION 4.(c) Duties. – The Commission shall review all aspects of the exceptional children's services delivered by local school administrative units in North Carolina and oversight of those services by the Department of Public Instruction. The Commission shall recommend ways to limit reporting requirements and compliance measures for local school administrative units and individual schools by identifying areas in which State requirements exceed federal law requirements. In developing these recommendations, the Commission shall examine at least all of the following:

- (1) Forms and paperwork required by the Department of Public Instruction, Division of Exceptional Children (Division), to be submitted by Individualized Education Program (IEP) teams.
- (2) The alignment of requirements imposed on the local school administrative units by the Division's Continuous Improvement Performance Plan (CIPP) with the federal requirements of the State Performance Plan and the Annual Performance Report.
- (3) Student performance assessments and alternative assessments required by the State Board of Education.
- (4) Class size and caseload requirements for children with disabilities.

- 1 (5) Unfunded fiscal impacts of reporting and compliance measures imposed on
2 local school administrative units.
- 3 (6) Conduct a cost study on the cost to educate students with disabilities and
4 then use that information to make recommendations to the General
5 Assembly on revisions that are needed to the current State allotment
6 formulae for various components of the exceptional children's program
7 operated by the local school administrative units.

8 **SECTION 4.(d)** Compensation; Administration. – Members of the Commission
9 shall receive subsistence and travel allowances at the rates set forth in G.S. 120-3.1, 138-5, or
10 138-6, as appropriate. With the prior approval of the Legislative Services Task Force, the
11 Legislative Services Officer shall assign professional and clerical staff to assist in the work of
12 the Commission. With the prior approval of the Legislative Services Commission, the
13 Commission may hold its meetings in the State Legislative Building or the Legislative Office
14 Building. The Commission may also meet at various locations around the State in order to
15 promote greater public participation in its deliberations. The Commission, while in the
16 discharge of its official duties, may exercise all the powers provided under the provisions of
17 G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4, including the power to request all
18 officers, agents, agencies, and departments of the State to provide any information, data, or
19 documents within their possession, ascertainable from their records, or otherwise available to
20 them and the power to subpoena witnesses.

21 **SECTION 4.(e)** Report. – The Commission shall report its findings and
22 recommendations to the Joint Legislative Education Oversight Committee no later than March
23 15, 2014. The Commission shall terminate upon the filing of its final report.

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25 **PART V. ELIMINATE PERSONAL EDUCATION PLAN REPORTING**

26 **SECTION 5.** G.S. 115C-105.41(a) reads as rewritten:

27 **"§ 115C-105.41. Students who have been placed at risk of academic failure; personal**
28 **education plans; transition teams and transition plans.**

29 (a) In order to implement Part 1A of Article 8 of this Chapter, local school
30 administrative units shall identify students who are at risk for academic failure and who are not
31 successfully progressing toward grade promotion and graduation, beginning in kindergarten.
32 Identification shall occur as early as can reasonably be done and can be based on grades,
33 observations, diagnostic and formative assessments, State assessments, and other factors,
34 including reading on grade level, that impact student performance that teachers and
35 administrators consider appropriate, without having to await the results of end-of-grade or
36 end-of-course tests. No later than the end of the first quarter, or after a teacher has had up to
37 nine weeks of instructional time with a student, a personal education plan for academic
38 improvement with focused intervention and performance benchmarks shall be developed or
39 updated for any student at risk of academic failure who is not performing at least at grade level,
40 as identified by the State end-of-grade test and other factors noted above. Focused instructional
41 supports and services, reading interventions, and accelerated activities should include
42 evidence-based practices that meet the needs of students and may include coaching, mentoring,
43 tutoring, summer school, Saturday school, and extended days. Local school administrative units
44 shall provide these activities free of charge to students. Local school administrative units shall
45 also provide transportation free of charge to all students for whom transportation is necessary
46 for participation in these activities.

47 Local school administrative units shall give notice of the personal education plan and a
48 copy of the personal education plan to the student's parent or guardian. Parents should be
49 included in the implementation and ongoing review of personal education plans. If a student's
50 school report card provides all the information required in a personal education plan, then no
51 further personal education plan is mandated for the student.

1 ~~Local school administrative units shall certify that they have complied with this section~~
2 ~~annually to the State Board of Education. The State Board of Education shall periodically~~
3 ~~review data on the progress of identified students and report to the Joint Legislative Education~~
4 ~~Oversight Committee.~~

5 No cause of action for monetary damages shall arise from the failure to provide or
6 implement a personal education plan under this section."
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8 **PART VI. EFFECTIVE DATE**

9 **SECTION 6.** This act is effective when it becomes law and applies beginning with
10 the 2013-2014 school year.